

1 JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

2 BRIAN J. STRETCH (CASBN 163973)
Chief, Criminal Division

4 DAVID R. CALLAWAY (CASBN 121782)
Assistant United States Attorney

5 150 Almaden Boulevard, Suite 900
6 San Jose, California 95113
7 Telephone: (408) 535-5596
Facsimile: (408) 535-5066
E-mail: David.Callaway@usdoj.gov

8 Attorneys for Plaintiff

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,) No. CR 09-00615 JW
13 Plaintiff,)
14 v.) STIPULATION CONTINUING
15 DIANA RIOS,) DATE FOR STATUS OR
16 Defendant.) DISPOSITION, AND EXCLUDING
Date: June 21, 2010
Time: 1:30 p.m.
17 _____ Before The Honorable James Ware

19 The parties to this case hereby agree and stipulate as follows:

20 WHEREAS,

21 1. The parties are scheduled to appear before the Court at the above date and time.
22 Although the parties believe that they may be close to resolving this case, no such disposition will
23 have been completed by Monday, June 21st. In addition, that date (perhaps because of Father's Day
24 falling on Sunday, June 20th) turns out to be a very expensive date for defendant and her counsel to
25 travel from New York to California. Defendant and her counsel would like to push the date back
26 by one week, to June 28, 2010. (They would prefer even more time, but have determined through
27 informal discussions with the Courtroom Deputy, Ms. Garcia, that one week is all the Court is
28 prepared to allow.) The government has no objection.

1 2. The parties agree that the time occasioned by this continuance is excludible pursuant
2 to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(i) and (iv).

3 IT IS THEREFORE STIPULATED AS FOLLOWS:

4 This case should be continued for a further status and setting conference, or disposition, to
5 occur on **Monday, June 28, 2010, at 1:30 p.m.**, before The Honorable James Ware, United States
6 District Judge. The time between June 21 and June 28, 2010, should be excluded from the Speedy
7 Trial clock for the reasons set forth above.

8 / s /

9 ARNOLD KEITH, ESQ.
10 Counsel for Defendant
11 DATE: March 30, 2010

12 JOSEPH P. RUSSONIELLO
13 United States Attorney

14 / s /

15 DAVID R. CALLAWAY
16 Counsel for Plaintiff
17 DATE: March 30, 2010

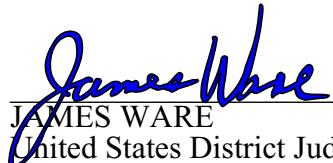
18 **ORDER**

19 Based upon the foregoing Stipulation and good cause appearing therefor,

20 IT IS HEREBY ORDERED that this matter is continued for further status and setting
21 conference, or for disposition, to occur on **Monday, June 28, 2010, at 1:30 p.m.**

22 IT IS FURTHER ORDERED that the time between June 21 and June 28, 2010, shall be
23 excluded from the computation the period within which the trial must commence, for the reasons
24 and based upon the statutory provisions set forth by the parties in the Stipulation. The Court
25 finds that the ends of justice outweigh the interests of the public and the parties in a speedier trial
26 based upon the grounds set forth above.

27 DATED: June 18, 2010

28 
JAMES WARE
United States District Judge